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09/604,824	06/27/2000	Jeffrey C. Schroeder	FL001	4570

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Rocco L Adornato
UNISYS Corporation
Township Line & Union Meeting Roads
Blue Bell, PA 19424

EXAMINER

MANNING, JOHN

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/604,824

Applicant(s)

SCHROEDER, JEFFREY C.

Examiner

John Manning

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 34-88 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 34-88 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Appeal Brief

1. In light of the arguments presented in the Appeal Brief of 9 September 2005, the following new grounds of rejection have been made.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 34-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baron et al. (US Pat No 5,940,776) in view of Baron Sr. et al. (US Pat No 6,275,774).

With respect to claims 34, 36, 75, 77, the claimed system and method for integrating wind direction and wind speed or "at least one weather parameter" into a television broadcast related to a first geographic location is taught by Baron ('776) as can be seen in Figure 1. The claimed limitation of "a monitoring station located at each of the plurality of geographic locations, the monitoring station including, means for sensing the weather parameters prevailing at each of the plurality of geographic locations, and for generating weather parameter signals representing the weather parameters, and means for transmitting the weather parameter signals from the monitoring station" is met by Item 18 of Figure 1. "The local television broadcast station 12 includes a host computer 16 that is in communication with a plurality of weather data

sources 18, though only three such weather data sources 18 are shown for illustrative purposes. The three weather data sources 18 shown in FIG. 1 include a National Weather Service (NWS) weather wire message service, a lightning strike data service, and radar” (Col 5, Lines 30-34). The claimed limitation of “a base station including, means for receiving the weather parameter signals from the monitoring station, and for providing the weather parameter signals to the base station, means for generating icon signals representing weather parameter icons in response to the weather parameter signals, the weather parameter icons representing the weather parameters sensed at the plurality of geographic location, and means for converting the icon signals into television signals representing the weather parameters, the television signals being in a format suitable for integration into the television broadcast signals” is met by Item 14 of Figure 1 (Also see Figure 8). “The meteorological data comprising the data stream is processed and combined with bitmaps of geographical and topographical views to generate real-time weather images, as indicated at module 126. Next, textual information is added to the weather images, typically as crawling or scrolling messages, as indicated by block 128. At block 130, the weather images are converted into a television compatible format for broadcast to subscribers. As previously mentioned, suitable television formats include NTSC and PAL. Lastly, at block 132, the television compatible signals are broadcast to subscribers on dedicated channels for continuous viewing” (Col 10, Lines 43-54; Also see Col 8, Lines 61-67 and Col 9, Lines 1-56). Baron (‘776) fails to explicitly disclose production switching means for combining a first icon signal representing weather patterns with first television signals at a first location

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and combining a second icon signal representing weather patterns with second television signals at a first location with selecting an corresponding output televisions signal. Baron ('774) teaches production switching means for combining a first icon signal representing weather patterns with first television signals at a first location and combining a second icon signal representing weather patterns with second television signals at a first location with selecting an corresponding output televisions signal so as to notify users affected by inclement weather specific to a geographic location (See Col 3, Lines 6-16; Col 4, Lines 47-62). Consequently, it would have been obvious to one of ordinary skill in the art to modify Baron ('776) with production switching means for combining a first icon signal representing weather patterns with first television signals at a first location and combining a second icon signal representing weather patterns with second television signals at a first location with selecting an corresponding output televisions signal for the stated advantage.

Claims 35 and 76 are met by that discussed above for claims 34, 36, 75, and 77.

In regard to claims 37-39 and 78, Baron ('776) discloses the use of cellular communication, which is wireless and is a UHF radio communications network (i.e. a network with a range of electromagnetic waves whose frequency is between 300 MHz and 3.0 GHz). See Col 5, Lines 38-41).

In regard to claim 40 and 79, Baron ('776) discloses the weather parameter including wind speed and direction in real time (See Col 7, Lines 11-34).

Claim 41 is met by that discussed above for claims 34, 36, 75, and 77.

In regard to claims 44, 80, and 81, Baron ('776) discloses the weather parameters are monitored in real time (See Col 5, Lines 25-44).

In regard to claim 42-43 and 80-81, the claimed limitations of "time-multiplexing means for establishing communications between the monitoring... and base stations" and "polling the monitoring station, for the continuous monitoring of changes in the weather parameters over time" is disclosed by Baron ('776). "The host program 20 reads in the meteorological data received at each of the input ports 34 and multiplexes the data into a single serial data stream for transmission to the VBI inserter 21 by way of the VBI output port 38. Specifically, the host program 20 continually polls the input ports 34 for meteorological data" (Col 6, Lines 25-30).

Claims 45 and 82 are met by that discussed for claims 34 and 75.

In regard to claims 46 and 83, the combined teaching fails to disclose the use of advertising icons. However, the examiner take Official Notice that is notoriously well known in the art to use a advertisement icons so as to generate revenue for the service provider. Consequently, it would have been obvious to one of ordinary skill in the art to modify the combined teaching for the stated advantage.

In regard to claim 47, the combined teaching does not explicitly teach the claimed "interrupt logic for servicing interrupts generated by the sampling means." The Examiner takes Official Notice that ISR routines were notoriously well known in the art at the time of the invention. Moreover, ISR's are well known for use during data sampling or processing in order to allow other functions to be performed by a processor while waiting on data collection or transmission. It would have been obvious for one

skilled in the art at the time of the invention to modify the system and methods of the combined teaching by using ISR logic in order to allow multiple tasks to be performed, thus speeding up overall task execution.

In regard to claims 48 and 62, the claimed ISR are met as previously noted. The combined teaching does not teach "switch logic responsive to an operate... for configuring and programming the microcontroller." Examiner takes Official Notice that switch logic to configure and program microcontrollers was well known in the art at the time of the invention. This was seen throughout the industry using electronically programmable ROM's that may be rewritten/configured as necessary. It would have been obvious for one skilled in the art at the time of the invention to modify the system of the combined teaching by including switch logic to configure and program a microcontroller in order to allow a system that can be updated and reconfigured according to varying system needs.

In regard to claims 49-51 and 63-65, the combined teaching does not teach the claimed poll-select "protocol interrupt logic for coordinating and executing" multi-point series communication to deliver the data from the microcontroller to the base station. The combined teaching does teach multi-point serial communications for delivery in col. 6: 17-30 and seen in Fig. 1, but not use of poll-select "protocol interrupt logic." Examiner takes Official Notice that protocol interrupt logic was notoriously well known in the art at the time of the invention. It would have been obvious for one skilled in the art at the time of the invention to modify the system and methods of the combined teaching by using

poll-select protocol interrupt logic in order to allow multiple tasks to be performed, thus speeding up overall task execution.

In regard to claims 52 and 66, the claimed "microcontroller further includes operator interface means coupled with the microcontroller" is seen in Figure 2 with the monitor 28.

In regard to claims 53 and 67, the claimed operator interface "enables a selective display of status conditions of the monitoring station" is taught in Col 6, Lines 7-24.

In regard to claims 54-55 and 68-69, the claimed "operator interface enables selection of the monitoring station to be sampled" is taught in the previously noted sections with station conditions selectable to produce screens.

With respect to claims 56 and 70, the claimed operator interface including "at least one remote status window for the monitoring station coupled with the base station, for displaying status conditions and sampled data to the operator" is taught in previously cited sections and seen throughout the figures.

With respect to claims 57-58 and 71-72, the claimed interface including "means for controlling the sampling and display of the monitoring station, and... setting graphic parameters and for controlling display of icons associated with the monitoring station" is see Figures 2 and 3. Various control screens are provided to enable operator inputs to select "sampled data from the monitoring station" to display the graphics as seen throughout the Figures and previously noted.

With respect to claims 59-60 and 73-74, the claimed use of "protocol interrupt logic for coordinating and executing communication of the sampled data... for

refreshing" to provide up-to-the-minute display of weather signals is not taught by the combined teaching. The combined teaching teaches real time updating and selection of remote stations to display conditions as previously noted, but not the use of "protocol interrupt logic." Examiner takes Official Notice that protocol interrupt logic was notoriously well known in the art at the time of the invention. It would have been obvious for one skilled in the art at the time of the invention to modify the system and methods of the combined teaching by using poll-select protocol interrupt logic in order to allow multiple tasks to be performed by, thus speeding up overall task execution.

Claim 61 recites similar limitations in part to claim 34 above. Further limitations parallel those addressed in response to claim 47 above. It would have been obvious for one skilled in the art at the time of the invention to modify the system and methods of the combined teaching by using ISR logic in order to allow multiple tasks to be performed, thus speeding up overall task execution.

The recited limitations of claims 84 and 86-88 are met by Figure 3 (see Col 7, Lines 35-67).

In regard to claim 85, the incoming weather signal is multiplexed; therefore the monitored signal is selected.

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 571-272-7352. The examiner can normally be reached on M-F: 9:00 - 5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM
November 30, 2005



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600